## State of Misconsin 2019 - 2020 LEGISLATURE

LRB-1443/1 CMH:kjf

## **2019 SENATE BILL 29**

February 8, 2019 - Introduced by Senators Wanggaard, Jacque, Feyen, Olsen, Carpenter, Cowles, Stroebel and Marklein, cosponsored by Representatives Horlacher, Hebl, Ballweg, Brandtjen, Edming, Knodl, Novak, Quinn, Ramthun, Rodriguez, Spreitzer, Steffen, Stuck, C. Taylor, Thiesfeldt, Tusler and Vruwink. Referred to Committee on Judiciary and Public Safety.

AN ACT to amend 978.06 (5) (a); and to create 978.001 (1k) of the statutes; relating to: allowing district attorneys, deputy district attorneys, and assistant district attorneys to engage in the private practice of law for certain civil purposes.

## Analysis by the Legislative Reference Bureau

Under current law, a full-time district attorney, deputy district attorney, or assistant district attorney generally may not engage in the private practice of law. Current law provides an exception that allows the attorney to complete work in a civil case with which he or she was involved before taking office, so long as that work is not in conflict with any interests of the district attorney's county.

This bill creates another exception so that a full-time district attorney, deputy district attorney, or assistant district attorney may also provide legal services to a person of limited means or to a charitable, religious, civic, community, governmental, or educational organization if the attorney provides the services without fee and the services are not in conflict with the interests of the district attorney's county.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

## **SENATE BILL 29**

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978.001 (1k) "Pro bono publico legal services" means legal services performed
for a person of limited means or for a charitable, religious, civic, community
governmental, or educational organization.

**Section 2.** 978.06 (5) (a) of the statutes is amended to read:

978.06 (5) (a) No full-time district attorney, deputy district attorney or assistant district attorney may engage in a private practice of law, but he or she is authorized to complete all civil cases, not in conflict with the interest of the county or counties of his or her prosecutorial unit, in which he or she is counsel, pending in court before he or she takes office and is authorized to provide, without fee or expectation of a fee, pro bono publico legal services, unless the civil case or the probono publico legal service is in conflict with the interest of the county or counties of his or her prosecutorial unit. A part-time district attorney, deputy district attorney or assistant district attorney may engage in a private practice of law.

14 (END)